

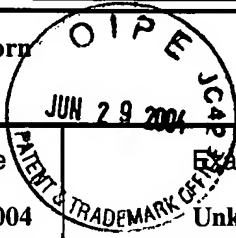
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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 114309-1017	
In Re Application Of: Gerald Horn						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/799,299	March 12, 2004	Unknown	24573	1614	7833	
Title: NIGHT VISION COMPOSITION						
<p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>37 CFR 1.97(b)</p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p style="text-align: center;">37 CFR 1.97(c)</p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center;">OR</p> <p style="margin-left: 40px;"><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>						

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(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
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Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/799,299	March 12, 2004	Unknown	24573	1614	7833

NIGHT VISION COMPOSITION

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
- ☐ Charge the amount of _____
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Renee Street

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***This certificate may only be used if paying by deposit account.**

Dated: **June 25, 2004**

Signature

Robert M. Barrett
Reg. No. 30,142
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CC:

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
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Docket No.
114309-1017

In Re Application Of: **Gerald Horn**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/799,299	March 12, 2004	Unknown	24573	1614	7833

Title: **NIGHT VISION COMPOSITION**

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Alexandria, VA 22313-1450

37 CFR 1.97(b)

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37 CFR 1.97(c)

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☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald Horn
Appl. No.: 10/799,299
Conf. No.: 7833
Filed: March 12, 2004
Title: NIGHT VISION COMPOSITION
Art Unit: 1614
Examiner: Unknown
Docket No.: 114309-1017

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, copies of which can be found in the parent, application no. 09/675,988, filed on September 29, 2000, be made during the course of examination of the above-identified application for United States patent.

U.S. PATENT DOCUMENTS

<u>Document No.</u>	<u>Date</u>	<u>Inventor</u>
4,443,441	April 1984	Galin
4,515,295	May 7, 1985	Dougherty
4,629,456	December 16, 1986	Edwards
4,834,727	May 30, 1989	Cope
4,906,613	March 6, 1990	Watkins
5,059,188	October 22, 1991	Goddard
5,134,124	July 28, 1992	Nisato et al.
5,514,118	May 7, 1996	Kummer et al.
5,584,823	December 17, 1996	Valberg
5,591,426	January 7, 1997	Dabrowski et al.
5,627,611	May 6, 1997	Scheiner
5,792,767	August 11, 1998	Meyer et al.

<u>Document No.</u>	<u>Date</u>	<u>Inventor</u>
5,891,882	April 6, 1999	Meyer et al.
5,891,913	April 6, 1999	Sallmann et al.
5,895,654	April 20, 1999	Hartford
6,046,207	April 4, 2000	Meyer et al.
09/675,988	September 29, 2000	Horn
09/705,526	November 3, 2000	Horn
6,291,498	September 18, 2001	Horn
6,420,407	July 16, 2002	Horn
2002/008228	June 27, 2002	Horn
6,515,006	February 4, 2003	Horn

OTHER DOCUMENTS

Bedford Laboratories, *Phentolamine Mesylate for Injection, USP*, May 1999.

Van Alphen, G., *The adrenergic receptors of the intraocular muscles of the human eye*, Investigative Ophthalmology, June 1976, Vol. 15, No. 6, pp. 502-505.

Yoshitomi, T., et al., *Adrenergic Excitatory and Cholinergic Inhibitory Innervations in the Human Iris Dilator*, Exp. Eye Res. 1998, Vol. 40, pp. 453-459.

Lee, Y.C., et al., *Influence of dioptric correction and pupil size on visual function*, J. Cataract Refract. Surg., 2003, Vol. 29, pp. 769-777.

Thordsen, J.E., et al., *Effect of Brimonidine Tartrate Ophthalmic Solution 0.15% on Pupil Diameter in Normal Eye*, April 25, 2003.

Padma-Nathan, H., et al., *Long-term safety and efficacy of oral phentolamine mesylate (Vasomar) in men with mild to moderate erectile dysfunction*, International Journal of Impotence Research, August 2002, Vol. 14, No. 4., pp. 266-270.

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King, V.M., *Effects of mydriatics and a miotic on ocular discomfort and pupil responses*, Journal of the American Optometric Association, Vol. 47, No. 7, July 1976, pp. 937-942.

Hill, C.E., et al., *Specificity of Innervation of Iris Musculature by Sympathetic Nerve Fibres in Tissue Culture*, Pflügers Arch., 1976, Vol. 361, pp. 127-134.

Lograno, M.D., et al., *Receptor-responses in fresh human ciliary muscle*, Br. J. Pharmac., 1986, Vol. 87, pp. 379-385.

- Zetterström, C., et al., *Pharmacological Characterization of Human Ciliary Muscle Adrenoceptors in Vitro*, Exp. Eye Res., 1988, Vol. 46, pp. 421-430.
- Takayanagi, I., et al., *α_{1B} -Adrenoceptor Mechanisms in Rabbit Iris Dilator*, Japan. J. Pharmacol., 1992, Vol. 59, pp. 301-305.
- Ishikawa, H., et al., *Comparison of post-junctional α -adrenoceptors in iris dilator muscle of humans, and albino and pigmented rabbits*, Naun. Schmed., 1996, Vol. 354, pp. 165-172.
- Yu, Y., et al., *α_{1A} -Adrenoceptors Mediate Sympathetically Evoked Pupillary Dilation in Rats*, JPET, February 2002, Vol. 300, Issue 2, pp. 521-525.
- Benson, G.S., et al., *Is Phentolamine Stable in Solution with Papaverine*, The Journal of Urology, November 1988, Vol. 140, pp. 970-971.
- Hadzija, B.W., et al., *Physicochemical Stability of Papaverine Hydrochloride-phentolamine Mesylate Mixtures used for Intracavernous Injection: A Preliminary Evaluation*, The Journal of Urology, January 1988, Vol. 140, pp. 64-65.
- Soli, M., et al., *Vasoactive Cocktails for Erectile Dysfunction: Chemical Stability of PGE1, Papaverine and Phentolamine*, The Journal of Urology, August 1998, Vol. 160, pp. 551-555.
- Tu, Y.H., et al., *Stability of papaverine hydrochloride and phentolamine mesylate in injectable mixtures*, American Journal of Hospital Pharmacy, Vol. 44, November 1987, pp. 2524-2527.
- Wang, D.P., et al., *Degradation Kinetics of Phentolamine Hydrochloride in Solution*, Journal of Pharmaceutical Sciences, November 1988, Vol. 77, No. 11, pp. 972-976.
- H. Uusitalo, *An acute ocular inflammatory reaction induced by intravitreal bovine serum albumin in presensitized rabbits: the effect of phentolamine*, Acta. Ophthalmol. (Copenh), August 1994, Vol. 63, No. 4, pp. 636-642.
- H. Uusitalo, *The effect of autonomic receptor blockers on the ocular response to topical chemical irritation*, Acta. Physiol. Scand., May 1984, Vol. 121, No. 1, pp. 1-8.
- Davies, NM: *Biopharmaceutical considerations in topical ocular drug delivery*, Clin. Exp. Pharmacol. Physiol., 2000, Vol. 27, No. 7, pp. 558-562.
- Alster, Y., et al., *Dapiprazole for patients with night haloes after excimer keratectomy*, Graefe's Arch. Clin. Exp. Ophthalmol., 1996, Vol. 234, pp. S139-S141.
- McDonald II, J.E., et al., *Effect of brimonidine tartrate ophthalmic solution 0.2% on pupil size in normal eyes under different luminance conditions*, J. Cataract Refract. Surg., April 2001, Vol. 27, pp. 560-564.

O'Brart, D.P.S., et al., *Disturbances in night vision after excimer laser photorefractive keratectomy*, Eve, 1994, Vol. 8, pp. 46-51.

Fan-Paul, N.I., et al., *Night Vision Disturbances After Corneal Refractive Surgery*, Survey of Ophthalmology, November-December 2002, Vol. 47, No. 6, pp. 533-546.

Connor, C.G., et al., *The clinical efficacy of Rēv-Eyes™ in reversing the effects of pupillary dilation*, Journal of the American Optometric Association, J. Am. Optom. Assoc., 1993, Vol. 64, pp. 634-636.

O'Brart, D.P.S., et al., *Night vision after excimer laser photorefractive keratectomy: haze and halos*, European Journal of Ophthalmology, 1994, Vol. 4, No. 1, pp. 43-51.

Nielsen, C.B., et al., *Effect of α - and β -receptor active drugs on corneal thickness*, Acta Ophthal., 1985, Vol. 63, pp. 351-354.

Goodman & Gillman's *The Pharmacological Basis of Therapeutics*, (Ninth Edition) at pp. 225-232.

Nicola Iuglio, MD, *Ocular Effects of Topical Application of Dapiprazole in Man*, Glaucoma, 1984, Vol. 6, pp. 110-116.

Chou B., et al., *The Role of Pupil Size in Refractive Surgery*, February, 2001, www.refractivessource.com/doctors/clinical_pearls/role_pupil.htm.

Refractive Surgery, June 22, 2000, http://www.eyecareest.com/refractive_surgery.html.

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

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Dated: June 25, 2004



INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) PTO Form 1449	Atty Docket No. 114309-1017	Application No. 10/799,299
	Applicant Gerald Horn	
	Filing Date March 12, 2004	Group 1614

U.S. PATENT DOCUMENTS						
Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
	4,443,441	04-1984	Galin			
	4,515,295	05-07-85	Dougherty			
	4,629,456	12-16-86	Edwards			
	4,834,727	05-30-89	Cope			
	4,906,613	03-06-90	Watkins			
	5,059,188	10-22-91	Goddard			
	5,134,124	07-28-92	Nisato et al.			
	5,514,118	05-07-96	Kummer et al.			
	5,584,823	12-17-96	Valberg			
	5,591,426	01-07-97	Dabrowski et al.			
	5,627,611	05-06-97	Scheiner			
	5,792,767	08-11-98	Meyer et al.			
	5,891,882	04-06-99	Meyer et al.			
	5,891,913	04-06-99	Sallmann et al.			
	5,895,654	04-2099	Hartford			
	6,046,207	04-04-00	Meyer et al.			
	09/675,988	09-29-00	Horn			
	09/705,526	11-03-00	Horn			
	6,291,498	09-18-01	Horn			
	6,420,407	07-16-02	Horn			
	2002/0082288	06-27-02	Horn			
	6,515,006	02-04-03	Horn			

FOREIGN PATENT DOCUMENTS							
Examiner's Initials	Document Number	Publication Date	Country	Class	Subclass	Translation	
						Yes	No

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	Yoshitomi, T., et al., Adrenergic Excitatory and Cholinergic Inhibitory Innervations in the Human Iris Dilator, Exp. Eye Res. 1998, Vol. 40, pp. 453-459.
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	Hill, C.E., et al., <i>Specificity of Innervation of Iris Musculature by Sympathetic Nerve Fibres in Tissue Culture</i> , Pflügers Arch., 1976, Vol. 361, pp. 127-134.
	Lograno, M.D., et al., <i>Receptor-responses in fresh human ciliary muscle</i> , Br. J. Pharmac., 1986, Vol. 87, pp. 379-385.
	Zetterström, C., et al., <i>Pharmacological Characterization of Human Ciliary Muscle Adrenoceptors in Vitro</i> , Exp. Eye Res., 1988, Vol. 46, pp. 421-430.
	Takayanagi, I., et al., <i>α_{1B}-Adrenoceptor Mechanisms in Rabbit Iris Dilator</i> , Japan. J. Pharmacol., 1992, Vol. 59, pp. 301-305.
	Ishikawa, H., et al., <i>Comparison of post-junctional α-adrenoceptors in iris dilator muscle of humans, and albino and pigmented rabbits</i> , Naun. Schmed., 1996, Vol. 354, pp. 165-172.
	Yu, Y., et al., <i>α_{1A}-Adrenoceptors Mediate Sympathetically Evoked Pupillary Dilation in Rats</i> , JPET, February 2002, Vol. 300, Issue 2, pp. 521-525.
	Benson, G.S., et al., <i>Is Phentolamine Stable in Solution with Papaverine</i> , The Journal of Urology, November 1988, Vo. 140, pp. 970-971.
	Hadzija, B.W., et al., <i>Physicochemical Stability of Papaverine Hydrochloride-phentolamine Mesylate Mixtures used for Intracavernous Injection: A Preliminary Evaluation</i> , The Journal of Urology, January 1988, Vol. 140, pp. 64-65.

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x Did not receive any NPL.

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	Tu, Y.H., et al., <i>Stability of papaverine hydrochloride and phentolamine mesylate in injectable mixtures</i> , American Journal of Hospital Pharmacy, Vol. 44, November 1987, pp. 2524-2527.
	Wang, D.P., et al., <i>Degradation Kinetics of Phentolamine Hydrochloride in Solution</i> , Journal of Pharmaceutical Sciences, November 1988, Vol. 77, No. 11, pp. 972-976.
	H. Uusitalo, <i>An acute ocular inflammatory reaction induced by intravitreal bovine serum albumin in presensitized rabbits: the effect of phentolamine</i> , Acta. Ophthalmol. (Copenh), August 1994, Vol. 63, No. 4, pp. 636-642.
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	Davies, NM: <i>Biopharmaceutical considerations in topical ocular drug delivery</i> , Clin. Exp. Pharmacol. Physiol., 2000, Vol. 27, No. 7, pp. 558-562.
	Alster, Y., et al., <i>Dapiprazole for patients with night haloes after excimer keratectomy</i> , Graefe's Arch. Clin. Exp. Ophthalmol., 1996, Vol. 234, pp. S139-S141.
	McDonald II, J.E., et al., <i>Effect of brimonidine tartrate ophthalmic solution 0.2% on pupil size in normal eyes under different luminance conditions</i> , J. Cataract Refract. Surg., April 2001, Vol. 27, pp. 560-564.
	O'Brart, D.P.S., et al., <i>Disturbances in night vision after excimer laser photorefractive keratectomy</i> , Eye, 1994, Vol. 8, pp. 46-51.
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	O'Brart, D.P.S., et al., <i>Night vision after excimer laser photorefractive keratectomy: haze and halos</i> , European Journal of Ophthalmology, 1994, Vol. 4, No. 1, pp. 43-51.
	Nielsen, C.B., et al., <i>Effect of α- and β-receptor active drugs on corneal thickness</i> , Acta Ophthal., 1985, Vol. 63, pp. 351-354.
	Goodman & Gillman's <i>The Pharmacological Basis of Therapeutics</i> , (Ninth Edition) at pp. 225-232.
	Refractive Surgery, June 22, 2000, http://www.eyecare.com/refractive_surgery.html .

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